

# McKool Smith

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February 18, 2014

**VIA E-FILE**

The Hon. Daniel E. O'Toole, Clerk of Court  
United States Court of Appeals Federal Circuit  
717 Madison Place, N.W.  
Washington, D.C. 20439

RE: *Versata Dev. Group, Inc. v. SAP Am., Inc.*, No. 2014-1194

Dear Mr. O'Toole:

Under Rule 28(j), Appellant Versata Development Group, Inc. ("Versata") writes to inform the Court that, with respect to Versata's pending motion for a 30-day extension of time to file its opening brief, Dkt. 26:

1. Undersigned counsel will be presenting oral argument on behalf of Suffolk Technologies, LLC in appeal No. 13-1392, and that argument is set to be heard by this Court on March 3, 2014—the day before Versata's opening brief is currently due in this appeal; and

2. Several parties have expressed interest in filing briefs as *amici curiae* in support of Versata, and they have indicated to Versata that they would find an additional 30 days helpful in preparing their materials.

Versata offers these points in furtherance of its argument that good cause exists to extend the time to file its opening brief by 30 days. Dkt. 26 at 14-16.

Sincerely,



Joel L. Thollander

JLT:dmr

cc: All Counsel of Record Via ECF

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Letter to the Honorable Daniel E. O'Toole was served on opposing counsel this 18<sup>th</sup> day of February, 2014 by operation of the Court's CM/ECF system per FED. R. APP. P. 25.

/s/ Joel L. Thollander